

FILED
2022 SEP 13 PM 3:44
CLERK
U.S. DISTRICT COURT

JARED L. CHERRY (11534)
PHILLIPS WINCHESTER
4001 South 700 East, Suite 500
Salt Lake City, Utah 84107
Tel: (801) 935-4932
Fax: (801) 935-4936
Attorney for Plaintiff

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH

In Re DMCA Subpoena to Tucows Inc.

Case No. 2:22-mc-00597

Nexon's Request to the Clerk for Issuance of
a Subpoena to Tucows Inc. Pursuant to 17
U.S.C. § 512(h) to Identify Alleged Infringer

Petitioner, Nexon America Inc. and Nexon Korea Corporation (hereinafter "Nexon"), through its undersigned counsel of record, hereby requests that the Clerk of this Court issue a subpoena to Tucows Inc. to identify alleged infringers at issue, pursuant to the Digital Millennium Copyright Act ("DMCA"), 17 U.S.C. § 512(h) (hereinafter the "DMCA Subpoena").

The DMCA Subpoena is directed to Tucows Inc., the domain name registrar of AmherstMS.net.

This content available at AmherstMS.NET infringes a copyright held by Nexon.

Nexon has satisfied the requirements for issuance of a subpoena pursuant to 17 U.S.C. § 512(h), namely:

1. Nexon hereby submits as Exhibit A, a copy of the notification sent pursuant to 17 U.S.C. § 512(c)(3)(A);

2. Nexon hereby submits as Exhibit B, the proposed DMCA Subpoena; and
3. Nexon, through its counsel of record, hereby submits as Exhibit C, a sworn declaration confirming that the purpose for which the DMCA subpoena is sought is to obtain the identity of an alleged infringer or infringers, and that such information will only be used for the purpose of protecting Nexon's rights under Title 17 U.S.C. §§ 101, et. Seq.

Having complied with the statutory requirements, Nexon respectfully requests that the Clerk expeditiously issue and sign the proposed DMCA Subpoena pursuant to 17 U.S.C. § 512(h)(4).

Dated: September 13, 2022

Respectfully submitted,

JARED L. CHERRY
PHILLIPS WINCHESTER
4001 South 700 East, Suite 500
Salt Lake City, Utah 84107
Tel: (801) 935-4932

By: /s/ Jared L. Cherry
Attorney for Plaintiff